

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(204)

**RA-CW-46-2022 in
CWP-10662-2019
Decided on : 01.12.2023**

Aarti Sharma

.....Review applicant/Petitioner(s)

Versus

Haryana Staff Selection Commission and another

.....Respondent(s)

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Anil Singh, Advocate for
Mr. Mazlish Khan, Advocate for the review applicant/petitioner.

Mr. Aman Bahri, Addl., AG, Haryana.

G.S. Sandhawalia, J. (Oral)

Review of the order dated 23.08.2021 is sought wherein the writ petition was dismissed on the ground that the petitioner had secured less marks than the cut-off for the post of TGT Physical Education in the female category, which was 84 marks. The matter was not decided on merits but in view of the fact that there was an interim order whereby the petitioner's documents were scrutinized and she was to be provisionally interviewed and her result was to be kept in sealed cover.

2. The review application was filed primarily on the ground that the cut-off has dropped down to 77 marks and, therefore, she would come in the zone of consideration and, therefore, would be entitled for selection.

3. Reply filed by the respondents in the review application is to the extent that the written examination had been conducted on 20.12.2015 for the said post and the short-listed candidates were called for scrutiny of documents from 10.05.2017 to 12.05.2017. Further in continuation scrutiny of documents was to be done from 27.06.2017 to 28.06.2017 vide notice dated 16.06.2017 against the advertisement No.3/2015. The petitioner had remained absent for scrutiny of documents on both the dates. The said document showing absence as such on 27.06.2017 has been attached as Annexure R-1/1. Some candidates were again called for scrutiny of documents on 23.11.2018 and petitioner again remained absent as per Annexure R-1/2. It was the case of the

respondents that if a candidate does not appear for the scrutiny of documents , he/she would not be considered for viva-voce/interview. Reliance has also been placed upon the judgment of this Court in **Rekha Jangra Vs. State of Haryana, 2017 (3) SCT 70** regarding the duty as such of the candidate to appear and that there was no requirement that each of the candidate had to be individually informed.

4. No replication has been filed to this factum of not appearing on several occasions in spite of being put to notice. Notices categorically provide that if a candidate does not appear for scrutiny of documents, no further opportunity will be granted. The advertisement is of the year 2015 and much water has flown thereafter and at this stage no benefit can be granted to the applicant/petitioner only on account of the fact that the cut-off has dropped. The interview was subject to the final decision of the writ petition and, therefore, having not opted to appear at the time of scrutiny of documents, no case is made out to review the order.

5. Resultantly, in view of the above facts and circumstances, the review application is dismissed.

(G.S. SANDHAWALIA)
JUDGE

01.12.2023
Naveen

Whether speaking/reasoned :	Yes	
Whether Reportable :		No